

Exhibit 5

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE No. 8:03-CR- -T-
	:	18 U.S.C. § 1962(d)
SAMI AMIN AL-ARIAN,	:	18 U.S.C. § 956(a)(1)
a/k/a "Amin,"	:	18 U.S.C. § 2339B
a/k/a "The Secretary,"	:	18 U.S.C. § 371
a/k/a "Abu Abdullah,"	:	18 U.S.C. § 1952(a)(2) and (3)
RAMADAN ABDULLAH SHALLAH,	:	18 U.S.C. § 1425(b)
a/k/a "Ramadan Abdullah,"	:	18 U.S.C. § 1546(a)
a/k/a "Rashad,"	:	18 U.S.C. § 1505
a/k/a "Mohamad El-Fatih,"	:	18 U.S.C. § 1621
a/k/a "Mahmoud,"	:	18 U.S.C. § 1963
a/k/a "Radwan,"	:	
a/k/a "Al-Shaer,"	:	
BASHIR MUSA MOHAMMED NAFI,	:	
a/k/a "Ahmed,"	:	
a/k/a "Abu Mohammed,"	:	
a/k/a "Basheer Musa,"	:	
SAMEEH HAMMOUDEH,	:	
a/k/a "Sameeh Hamouda,"	:	
a/k/a "Abu Anas,"	:	
MUHAMMED TASIR HASSAN AL-KHATIB,:	:	
a/k/a "Abu Hassan,"	:	
a/k/a "Mohamed T. El-Khatib,"	:	
a/k/a "Tariq,"	:	
a/k/a "Diyab,"	:	
a/k/a "The Treasurer,"	:	
ABD AL AZIZ AWDA,	:	
a/k/a "Sheik Odeh,"	:	
a/k/a "Abdel Aziz Odeh,"	:	
a/k/a "Abu Ahmad,"	:	
a/k/a "Fadi Abu Ahmed,"	:	
a/k/a "Al Sheik,"	:	
a/k/a "The Sheik,"	:	
a/k/a "Mawlana,"	:	
GHASSAN ZAYED BALLUT,	:	
a/k/a "Abu Fadi,"	:	
and,	:	
HATIM NAJI FARIZ,	:	

a/k/a "Abu Obayada,"
a/k/a "Abu Obaida"

:
:

INDICTMENT

COUNT ONE

(Conspiracy to Commit Racketeering)

The Grand Jury charges:

A. Introduction

At times material to this Indictment:

1. All defendants are hereinafter in this Count referred to by their name without reference to any "a/k/a" names; all names are transliterated from the Arabic language.
2. The Palestinian Islamic Jihad - Shiqaqi Faction (hereinafter referred to as "PIJ") was an international terrorist organization with "cells" or units located throughout the world. The Palestinian Islamic Jihad was also known amongst the conspirators as "the Islamic Jihad Movement in Palestine"; "The Movement," and "The Family," and its members as "brothers" or "the youth."
3. There existed a PIJ manifesto, entitled, "Manifesto of the Islamic Jihad in Palestine," which described the goals and principles of PIJ, along with its command and organizational structure. The PIJ "Manifesto" described the PIJ as "The Islamic Jihad Movement in Palestine is a revolutionary 'Jihad' Movement . . . it is the vanguard of the Islamic Revolutionary Movement." The "Manifesto" stated that the PIJ was led by a "Secretary General" and a "Shura Council," a central advisory committee. The "Manifesto" rejected "any peaceful solution to the Palestinian cause, and the

(189) On March 4, 1996, co-conspirators associated with the PIJ bombed the Dizengoff Center Shopping Mall in Tel Aviv, Israel during a children's festival and murdered approximately thirteen people and wounded approximately seventy-five including United States citizens Ronald L. Koprowski and Julie K. Negrin.

(190) On or about September 14, 1996, SAMI AMIN AL-ARIAN engaged in a telephone conversation with another person in which SAMI AMIN AL-ARIAN told the person not to discuss a financial transaction over the phone.

(191) On or about October 18, 1996, SAMI AMIN AL-ARIAN who was in Tampa, Florida, sent a facsimile to the Abdul Latif Jameel Company, Ltd. in Saudi Arabia, and inquired about obtaining pelletized urea fertilizer in fifty kilogram bags suitable for ocean transportation.

(192) On or about October 28, 1996, RAMADAN ABDULLAH SHALLAH made a speech on the first anniversary of the death of Fathi Shiqaqi, to a group which included, among others, several Iranians, representatives from HAMAS and Hizballah and several future suicide bombers. RAMADAN ABDULLAH SHALLAH said the PIJ would avenge Shiqaqi's spilled blood and make the lives of the enemy's leaders and their allies a hell of explosions and fire. RAMADAN ABDULLAH SHALLAH also mentioned past successful PIJ terrorist attacks at Beit Lid, Kfar Darom and the Dizengoff Center Shopping Mall.

(193) On or about March 17, 1997, SAMI AMIN AL-ARIAN had a coded telephone conversation with Unindicted Co-Conspirator Eight in which they discussed whether "two things" (money) had been sent from Abu Omar to another individual overseas.